

Sage Legal LLC

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October 13, 2025

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Peggy Kuo, U.S.M.J.
225 Cadman Plaza East
Courtroom 11C South
Brooklyn, NY 11201-1804

Re: Trustees v. Spray in Place Solutions LLC, et ano.
Case No.: 1:24-cv-2568 (KAM) (PK)

Dear Judge Kuo:

This office represents the Defendants in the above referenced case. Defendants write jointly with Plaintiffs to provide the instant joint status report pursuant to this Court's Order dated October 1, 2025.

Defendants' Position

The parties met-and-conferred on October 13, 2025 for approximately fifteen (15) minutes concerning discovery. Because the parties previously focused their efforts on obtaining the discovery necessary to complete an audit pursuant to a stipulation, see ECF Docket Entry [23](#), and that audit is now complete, the parties dispute now centers on whether the findings are appropriate, necessitating a separate phase of discovery. The parties have thus prepared the annexed joint proposed discovery plan/scheduling Order and respectfully request that this Court so Order same.

Plaintiffs' Position

The stipulation referenced above required Defendants to provide Plaintiffs with outstanding remittance reports, submit to an audit for the period of July 1, 2022 through December 31, 2022, and to pay any undisputed contributions thereon determined to be due. As previously reported to the Court, Defendants provided Plaintiffs with the necessary remittance reports, and the audit is now complete. The final requirement of the stipulation that has not been completed is payment of the undisputed contributions owed to Plaintiffs. After the audit was transmitted to Defendants, Defendants provided Plaintiffs with a document containing, among other things, hours worked by its employees that Defendant concedes were not reported to Plaintiffs¹ and that contributions to Plaintiffs are owed on. Plaintiffs' auditors are determining the uncontested amounts owed to Plaintiffs and will provide that to Defendants as soon as it is available. Plaintiffs will then demand, pursuant to the stipulation, that those undisputed contributions be paid immediately.

¹ Defendants respectfully submit that, as previously mentioned in this case and as documented in several letters to the Plaintiffs prior to this case, Plaintiffs' remittance reporting system – the only means by which Defendant Spray in Place Solutions LLC could report hours – was not working. See ECF Docket Entries [13](#), ¶¶ 66, 77, 79 and [21](#) at 2.

In addition, the parties intend to engage in settlement discussions related to the remaining disputed amounts owed.

The parties thank this honorable Court for its time and attention to this case.

Dated: Jamaica, New York
October 13, 2025

Respectfully submitted,

SAGE LEGAL LLC

/s/ Emanuel Kataev, Esq.

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